

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

ULIOUS BROOKS,	:	Case No. 1:15-cv-812
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Stephanie K. Bowman
vs.	:	
	:	
SERGEANT MIKE DILLOW, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATIONS (Doc. 5)
OF THE UNITED STATES MAGISTRATE JUDGE, AS AMENDED BY THE
MAGISTRATE JUDGE'S SUBSEQUENT ORDER (Doc. 11)**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the pleadings filed with this Court, and, on January 19, 2016, submitted a Report and Recommendations ("R&R"). (Doc. 5).

On January 25, 2016, Plaintiff filed a motion to amend his complaint. (Doc. 10). In an Order dated February 5, 2016, the Magistrate Judge granted Plaintiff's motion to amend his complaint (Doc. 10), and explained that the R&R remained in effect, except that the recommendation to dismiss a "retaliatory transfer" claim against Defendant

Dillow was vacated. (Doc. 11 at 2–3). To date, Plaintiff has not filed objections to the R&R.¹

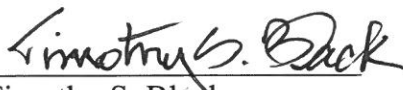
As required by 29 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that the R&R (Doc. 5), as amended by the Magistrate Judge’s subsequent Order (Doc. 11), should be and is hereby **ADOPTED** in its entirety.

Accordingly, for the foregoing reasons:

1. The following causes of action alleged in Plaintiff’s complaint are **DISMISSED** on the ground that Plaintiff has failed to state a claim upon which relief may be granted by this Court: any claim of harassment based on alleged verbal altercations between Plaintiff and Defendant; and any claims, including Plaintiff’s specific claims of discrimination and harassment, challenging the disciplinary proceedings that resulted in the sanction imposed by the RIB on November 25, 2015 and reversed by the SOCF’s warden on December 2, 2015.
2. Plaintiff may proceed with his “retaliatory transfer” claim against Defendant Dillow.

IT IS SO ORDERED.

Date: 2/11/16


Timothy S. Black
United States District Judge

¹ On the same day he filed his motion to amend his complaint (Doc. 10), Plaintiff filed three other documents: a motion for court order (Doc. 7); a motion to waive the required number of copies (Doc. 8); and a motion for a temporary restraining order (Doc. 9). Given the content of these filings, the Court does not believe they were intended to serve as objections. To the extent that they were, they are overruled because they fail to dispute any specific portion of the Report and Recommendation.